



# Secure Background Checks Act

**Endorsements:** Brady, Everytown, National Education Association, Colorado Education Association, American Federation of Teacher, Community Justice Action Fund, Violence Policy Center, Alliance for Suicide Prevention of Larimer County, Colorado Organization for Victims Assistance, Guns Down America, Colorado Ceasefire, Major City Chiefs Association, National Council of Jewish Women, Colorado Children's Campaign

**Cosponsors:** Auchincloss (D-MA), Blumenauf (D-OR), Carson (D-IN), Correa (D-CA), Dean (D-PA), Holmes Norton (D-DC), Jackson Lee (D-TX), Johnson (D-GA), Kelly (D-IL), Raskin (D-MD), Sanchez (D-CA), Stansbury (D-NM), Velazquez (D-NY)

**Background:** In April 2019, an 18-year-old woman traveled from Florida to Colorado, where she purchased a firearm that was legal under Colorado law but would have been illegal for her to purchase and possess in her home state of Florida.

While in Colorado, the woman threatened mass violence against Denver-area schools, invoking the memory of the Columbine school shooting and causing widespread panic in the area.

In response, Rep. Neguse led a bipartisan letter to the Department of Justice (DOJ) Office of Inspector General (OIG) requesting an investigation into the National Instant Criminal Background Check System (NICS) and demanding answers to questions surrounding the incident in Denver. In 2021, the OIG released a [report](#) identifying a weakness in the NICS background check system. Under current law, the burden is placed on local firearm retailers to verify that prospective buyers are legally eligible to purchase the firearm in both the state of residence and the state of purchase. This allows many opportunities for individuals to circumvent federal and state firearm requirements.

**Problem:** Although it is already illegal to sell or deliver a firearm or ammunition to individuals who do not meet the age and residency requirements, the burden of enforcing these age restrictions has fallen to local retailers, resulting in lapses like the one that occurred in Denver. Currently, the NICS initial background check only confirms that the firearm purchaser meets the federal minimum purchase age of 18 for long guns and 21 for handguns but does not check any additional state-level age restrictions that may be higher than the federal minimum age requirements.

**Proposal:** This bill would add state-level age requirements to the list of federal prohibitors that the NICS background check already identifies. This proposal removes the burden of ensuring compliance with state-level age requirements from local firearm retailers and adds it to the list of requirements the federal government already verifies. This proposal is in line with recommendations found in the OIG report. In making this narrow change to the NICS background check system, this bill will ensure that underage firearm purchasers cannot simply travel out-of-state to obtain firearms which are illegal in their state of residence.